



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In Re Application of:

Xiao Bing Wang

Confirmation No.: 8510

Serial No.: 09/618,129

Group Art Unit: 1637

Filed: July 17, 2000

Examiner: A.H. Spiegler

Docket No.: 122001.1020

For: Detection of Sequence Variation of Nucleic Acid by Shifted Termination Analysis

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- under 37 CFR 1.97(b), or  
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:
  - Statement Under 37 C.F.R. 1.97(e), or
  - a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:
  - Statement under 37 CFR 1.97(e), and
  - a \$180.00 petition fee set forth in 37 CFR 1.17(p).  
(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Applicant believes no fee is due with this paper; however, if the Examiner determines a fee is required, the Commissioner is authorized to charge any requisite fee to Deposit Account No. 20-0778.

- Applicant(s) submit herewith *Form PTO 1449A - Information Disclosure Statement by Applicant* together with copies of non-U.S. patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each non-U.S. patent document is provided.
- A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. Any statements or identifications regarding the relevance of any portion(s) of cited references should not be construed as a representation that the most relevant portion(s) have been identified, and the absence of such statements or identifications should not be construed as representations that there are no relevant portion(s). The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

By:

  
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**CERTIFIED MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "First Class Mail," in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on JUNE 9, 2004

  
Signature



PATENT

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For: Detection of Sequence Variation of Nucleic  
Acid by Shifted Termination Analysis

**STATEMENT UNDER 37 C.F.R. §1.97(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned hereby certifies that either:

Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or in a PCT Application, not more than three months prior to the filing of the Information Disclosure Statement, or

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign office in a counterpart foreign application, and to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

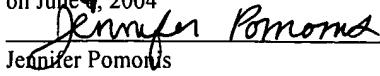
Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

By:

  
**Charles Vorndran**  
**Charles Vorndran, Reg. No. 45,315**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 14, 2004.

  
**Jennifer Pomors**

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| Form PTO-1449 JUN 14 2004  |  |                 |            | Attorney Docket No. 122001.1020 |       | Serial No. 09/618,129 |             |                            |
|--|--|-----------------|------------|---------------------------------|-------|-----------------------|-------------|----------------------------|
| INFORMATION DISCLOSURE CITATION  |  |                 |            | Applicant Xiao Bing Wang        |       |                       |             |                            |
| (Use several sheets if necessary)  |  |                 |            | Filing Date July 17, 2000       |       | Group 1637            |             |                            |
| U.S. PATENT DOCUMENTS  |  |                 |            |                                 |       |                       |             |                            |
| Examiner Initials  | Item   | Document Number | Date       | Name                            |       | Class                 | Subclass    | Filing Date If Appropriate |
|  | 1  | 5,650,277       | 07/22/1997 | Navot, et al.                   |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
| FOREIGN PATENT DOCUMENTS   |  |                 |            |                                 |       |                       |             |                            |
|  |  | Document Number | Date       | Country                         | Class | Subclass              | Translation |                            |
|  |  |                 |            |                                 |       |                       | Yes No      |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)   |  |                 |            |                                 |       |                       |             |                            |
| 2  | Taiwanese Office Action dated 04/30/2004 for Application 090113563, with English translation |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
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|  |  |                 |            |                                 |       |                       |             |                            |
|  |  |                 |            |                                 |       |                       |             |                            |
| <p>* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.</p> |  |                 |            |                                 |       |                       |             |                            |
| EXAMINER'S SIGNATURE:  |  |                 |            | DATE CONSIDERED:                |       |                       |             |                            |
| Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE  |  |                 |            |                                 |       |                       |             |                            |